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13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN FRANCISCO DIVISION

16 UNITED STATES OF AMERICA,) CASE NO. 19-CR-0636-EMC
17 Plaintiff,)
18 v.)
19 JUAN VALDOVINOS MENDOZA,)
20 Defendant.)

21 On June 25, 2020, defense counsel filed a motion to continue Defendant's combined change of
22 plea and sentencing scheduled for July 8, 2020. *See* Dkt. 34. Defense counsel stated that there was good
23 cause to continue the change of plea and sentencing due to the COVID-19 pandemic and counsel's
24 inability to meet with his client in person. Defense counsel further declared that his own health condition
25 as a kidney transplant recipient, and his need to care for his spouse who has a serious health condition,
26 limited his ability to work and consult with Defendant. On June 30, 2020, the Court granted Defendant's
motion to continue the change of plea and sentencing in this case, and reset the matter for September 2,
2020.

27 Based on the grounds put forward by defense counsel, the government requests that the Court
28 exclude time under the Speedy Trial Act from July 8, 2020 through September 2, 2020 (inclusive),

1 pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv). The exclusion of time is appropriate under the
2 Speedy Trial Act to allow for effective preparation of defense counsel and continuity of counsel. 18
3 U.S.C. § 3161(h)(7)(A), (B)(iv). The ends of justice are served by excluding time and outweigh the
4 interests of the public and the defendant in a speedy trial.

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1 ~~[PROPOSED] ORDER~~

2 Based on the reasons stated above, and in defendant's Motion to Continue the Sentencing
3 Hearing filed on June 25, 2020 (Dkt. 34), the Court hereby FINDS that the exclusion of time from July
4 8, 2020 to September 2, 2020 (inclusive) is warranted and that the ends of justice served by the
5 continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C.
6 §§ 3161(h)(7)(A). The failure to grant the requested continuance would deny defendant effective
7 preparation of counsel and continuity of counsel. 18 U.S.C. §§ 3161(h)(7)(B)(iv).

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10 DATED: August 27, 2020

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12 HON. EDWARD M. CHEN
13 United States District Judge
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